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January 24, 2003

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Commissioner for Patents
Washington, D.C. 20231

Re: U.S. National Phase of PCT/CA00/01150
Appl. No. 10/089,177; § 371 Date: ***To Be Determined***
For: **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archael, Bacterial, Fungal, and Parasitical Microorganisms from Clinical Specimens for Diagnosis**
Inventors: Bergeron *et al.*
Our Ref: 1619.0090000/SRL/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;

2. Form PTO-1449 (11 pages) listing 121 documents;

3. Document Nos. A through L and 1 through 107; and

4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Peter A. Jackman
Attorney for Applicants
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PAJ:aye
Enclosures

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SKGF Rev. 2/15/02 dcw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BERGERON *et al.*

Appl. No. 10/089,177

§ 371 Date: *To be determined* (Int'l. Filing Date: September 29, 2000)

For: **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archael, Bacterial, Fungal, and Parasitical Microorganisms from Clinical Specimens for Diagnosis**

Confirmation No. 9698

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1619.0090000/SRL/PAJ

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3) and M.P.E.P § 609 III.A(3), Applicants' undersigned representative submits the following with regard to non-English language document 29 cited on Form PTO 1449:

Document 29 is in the French language. An English language abstract of this document is provided at the beginning of the document.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

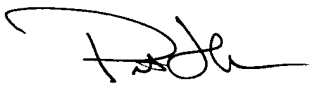
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Docket Number (Optional)	Application Number
1619.0090000/SRL/PAJ	10/089,177
Applicant(s)	
BERGERON, Michel G. et al.	
Filing Date	**Group Art Unit**
September 28, 2000	To be assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	US 5,089,396	02/18/92	Stackebrandt, E. et al.			
	B	US 5,162,199	11/10/92	Stern, A. et al.			
	C	US 5,389,513	02/14/95	Baquero, F. et al.			
	D	US 5,437,978	08/01/95	Ubukata, K. et al.			
	E	US 5,708,160	01/13/98	Goh, Swee Han et al.			
	F	US 5,994,066	11/30/99	Bergeron, Michel G. et al.			
	G	US 6,001,564	12/14/99	Bergeron, Michel G. et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES	Translation NO
	H	WO 92/03455	03/05/92	PCT				
	I	WO 98/20157	05/14/98	PCT				
	J	WO 00/14274	03/16/00	PCT				
	K	EP 0133 288	02/20/85	EUROPE				
	L	EP 0133 671	07/24/91	EUROPE				

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	1	Abdulkarim, F. et al., "Homologous Recombination between the *uf* Genes of *Salmonella typhimurium*, " *J. Mol. Biol.* 260:506-522, Academic Press (1996).
	2	Altschal, S.F. et al., "Basic Local Alignment Search Tool," J. Mol. Biol. 215:403-410, Academic Press (1990).

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FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES	Translation NO
	M	EP 0 337 896	07/28/93	EUROPE				
	N	EP 0 466 251	01/15/92	EUROPE				

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EXAMINER INITIAL		OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*
	5	Belay, N. et al., "Methanogenic Bacteria from Human Dental Plaque," Applied and Environmental Microbiology, Vol. 54, No. 2: 600-603, American Society for Microbiology (1988).
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*EXAMINER INITIAL		OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, etc.)*
	17	Brenner, D.J. et al., *"Enterobacter asburiae sp.* nov., a New Species Found in Clinical Specimens, and Reassignment *of Erwinia dissolvens* and *Erwinia nimipressuralis* to the Genus *Enterobacter as Enterobacter dissolvens* comb. nov. and *Enterobacter nimipressuralis* comb. nov.," Journal of Clinical Microbiology, Vol. 23, No. 6:114-120, American Society for Microbiology (1986).
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	50	Hart, D.L. et al., "The Population Genetics of *Escherichia coli,"* Ann. Rev. Genet., 18: 31-68, Annual Reviews, Inc. (1984).
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